SINGLE BENCH

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IN THE HIGH COURT OF JUDICATURE AT BILASPUR CHHATTISGARH

W.P. NO. 3600 /2005

PETITIONERS : 1] Mandhandas Hablani, Aged about 79 yrs, S/o. Late Bhuramal Hablani, R/o. C-36, Vallabh Nagar, Raipur (C.G.).

2] Prakashchand Hablani, Aged about 48 years, S/o. Mandhandas Hablani, R/o. C-36, Vallabh Nagar, Raipur (C.G.).

3] Bheeshmanarayan Hablani, Aged about 24 years, S/o. Prakashchand Hablani, R/o. C-36, Vallabh Nagar, Raipur (C.G.).

4] Smt. Jaya Hablani, Aged about 44 years, W/o. Prakashchand Hanblani, R/o. C-36, Vallabh Nagar, Raipur (C.G.).

P.R. No. 3700 dt. Presented by Shri M.K. Gupta dated 1/8/05

RECEIVED-COPY 1.8.05 CLERK to A. G. BILASPUR

VERSUS

RESPONDENTS : 1] State of Chhattisgarh, Through: Secretary, Environmental & Arban Development Department, D.K.S. Bhawan Raipur, Distt. Raipur (C.G.)

2] Raipur Development Authority, Through: its Chief Executive Officer, G.E. Road, Raipur, Distt. Raipur (C.G.)

3] The Chief Executive Officer, Raipur Development Authority, First Floor, R.D.A. Building, Bajrang Market, G.E. Road, Raipur (C.G.)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

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मामला क्रमांक W.P.No. 3600 सन् 2005

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

8-8-2005

Shri Manoj Paranjpe, counsel for the petitioners.

Shri Sandeep Dubey, Govt. Advocate for the State/respondent No.1.

Shri Pankaj Agrawal, counsel for respondents No.2 and 3.

Heard.

The petitioners' case is that they purchased the lands bearing Khasra Nos. 266/3 to 266/18 situated at Patwari Halka No.114, ad measuring 0.607 hectares through registered sale deed from the original owners and the said lands were recorded in the revenue record in their names also. However, R. D. A. without following the procedure prescribed under the Land Acquisition Act sold the said property of the petitioners to different persons. The petitioners were asked that they will be allotted with the other suitable equivalent land situated at Katora Talab Sector-7, and with that understanding the petitioners moved an application for exchange of their land, but R. D. A. has not taken any decision on their application. As per mutual agreement 40% of the land in question was to be allotted to the petitioners.

Therefore, learned counsel for the petitioners submitted that the petitioners may be allowed to make a representation to respondent No.2 and in turn respondent No.2 be directed to decide the representation as has been in the other similar cases viz. W.P. Nos.3109/2005 and 3244/2005 to which learned counsel for respondents No.2 and 3 has no objection.

Having regard to the facts and circumstances of the case, the petitioners are directed to make a detailed representation raising all their

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... **सन्** **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

grievances to the R.D.A. within a period of 10 days from today and in turn R.D.A. shall decide the representation of the petitioners within 3 months from the date of receipt of the same in an objective manner, considering all the points raised by the petitioners. If the R.D.A. reaches to the conclusion that in view of the RDA's policy decision the petitioners are entitled for 40% land in exchange of the land of the petitioners already acquired, then they can consider the claim of the petitioners for allotment of 40% land preferably, if available, at Katora Talab Sector-7 or any other land which is acceptable to the petitioners.

With the direction aforesaid, the petition stands disposed of.

Consequently, I. A. No.6805/2005 also stands disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C. Bhadoo
Judge

Barve